

TAS

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BOOK DISPATCH NO. 329

VIA: AIR

DATE

OGC Has Reviewed

TO : Chiefs of All Class A Stations and Bases
FROM : Finance Division ATTN: Finance Officer
SUBJECT: GENERAL - Administrative
SPECIFIC - Payment of Transfer Allowance to More Than One Member
of a Family

1. The question has been raised as to whether payment of transfer allowances may be made to more than one member of a family when both husband and wife are staff employees. The question was presented to the Office of General Counsel by the Comptroller for legal opinion.

2. This office has received General Counsel opinion OGC/B-7523a, dated 27 June 1957, addressed to the Comptroller relating to the above subject which states in part as follows:

"The basic authority for home transfer allowance is permissive and is not payment to which an employee is entitled as a matter of right. The [redacted] provides that it shall be paid to "eligible" staff personnel provided in paragraph 4 a. and paragraph 3 b. requires that all applicable eligibility criteria be met. By definition, paragraph 2 a. reads that the allowances are granted to an employee for "extraordinary and necessary expenses deemed incident to the establishment of his residence at a PCS post ...". Limitations have then been set on the amounts which can be paid to a single employee, an employee with one member of a family and an employee with more than one member of a family.

"5. In the present case, the employee-husband claimed the maximum amount on the basis of two members of the family. It would appear to be quite contrary to the spirit of the Regulation to give that same family payments in excess of this maximum amount because of the fact that the wife too was an employee since the fact of her employment adds nothing to the extraordinary or necessary expenses incidental to the establishment of the husband's post. Under these circumstances the wife does not meet the eligibility criteria as an employee and is not entitled to the allowance."

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3. Accordingly, such transfer allowance claims should be treated as that of a man and wife with or without other dependents, as appropriate.

[REDACTED] 25X1A9a

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DC/ED [REDACTED]
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